



Atty. Dkt. No. 035879-0182

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Thomas E. WAGNER  
Title: ANTI-TUMOR VASCULATURE EFFECTS OF  
HUMAN SERUM ALBUMIN DERIVATIVES  
Appl. No.: 10/813,432  
Filing Date: 03/31/2004  
Examiner: Unassigned  
Art Unit: 1646

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove

as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

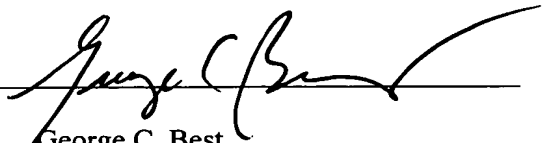
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 15, 2004

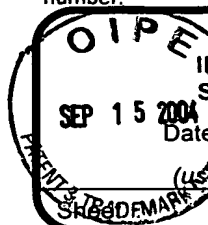
FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6078  
Facsimile: (202) 672-5399

By



George C. Best  
Attorney for Applicant  
Registration No. 42,322

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Substitute for form 1449B/PTO		<b>Complete if Known</b>	
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/813,432
	Date Submitted: September 15, 2004		Filing Date	03/31/2004
	(Use as many sheets as necessary)		First Named Inventor	Thomas E. Wagner
	1 of 2		Group Art Unit	1646
			Examiner Name	Unassigned
			Attorney Docket Number	035879-0182

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	6,180,084	B1	Ruoslahti et al.	01-30-2001	
	A2	6,296,832	B1	Ruoslahti et al.	10-02-2001	
	A3	2001/0049142	A1	Wagner et al.	12-06-2001	
	A4	6,491,894	B1	Ruoslahti et al.	12-10-2002	
	A5	6,528,481	B1	Burg et al.	03-04-2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>8</sup>
	A6	MAURO S. SANDRIN et al., "Gal(1,3)Gal, the Major Xenoantigen(s) Recognised in Pigs by Human Natural Antibodies", <i>Immunological Reviews</i> , 1994, No. 141, pp. 169-190.	
	A7	CHARLES J. LINK, JR. et al., "Eliciting Hyperacute Xenograft Response to Treat Human Cancer: $\alpha(1,3)$ Galactosyltransferase Gene Therapy", <i>Anticancer Research</i> , 18: (1998), pp. 2301-2308.	
	A8	U JÄGER et al., "Induction of complement attack on human cells by Gal(alpha 1,3)Gal xenoantigen expression as a gene therapy approach to cancer", <i>Gene Therapy</i> , 6, (1999), pp. 1073-1083.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: September 15, 2004 (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/813,432		
		Filing Date	03/31/2004		
		First Named Inventor	Thomas E. Wagner		
		Group Art Unit	1646		
		Examiner Name	Unassigned		
Sheet	2	of	2	Attorney Docket Number	035879-0182

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A9	ERIC B. KMIEC, "Investigators have been searching for ways to add corrective genes to cells harboring defective genes. A better strategy might be to correct the defects", <i>American Scientist</i> , Volume 87, (1999), pp. 240-247.	
	A10	FLAVIO CURNIS et al., "Differential Binding of Drugs Containing the NGR Motif to CD13 Isoforms in Tumor Vessels, Epithelia, and Myeloid Cells", <i>Cancer Research</i> , 62, (February 1, 2002), pp. 867-874.	
	A11	SABINE ZITZMANN et al., "Arginine-Glycine-Aspartic Acid (RGD)-Peptide Binds to Both Tumor and Tumor-Endothelial Cells <i>in Vivo</i> ", <i>Cancer Research</i> , 62, (September 15, 2002), pp. 5139-5143.	
	A12	EDWARD FINGL et al., "The Pharmacological Basis of Therapeutics", Chapter 1, pp. 1-46.	
	A13	MASAKI FUJITA et al., "Sodium 1-(12-Hydroxy)octadecanoyl Sulfate, an MMP2 Inhibitor, Isolated from a Tunicate of the Family Polyclinidae", <i>J. Nat. Prod.</i> , 65, (2002), pp. 1936-1938.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.